

REMARKS

Page 10, line 16 of the specification has been amended to delete the recitation of numeral 32 and substitute the numeral 72 to conform this language with the disclosure set forth in Figure 1. Entry of this amendment to the specification is respectfully requested.

Claims 1, 3, 13 and 21-23 have been rejected as describing subject matter anticipated by the Wong patent. In order for a reference to be anticipatory of a claim, every element in the claim rejected on the basis of anticipation must be disclosed in the cited reference. With this consideration in mind, these rejected claims will be reviewed to point out that the elements and steps recited in independent Claims 1 and 13, respectively, are not present in the Wong patent.

In the preamble of Claim 1, the recited rug is being “in contact with and directly to the step and riser”. Inherently, a step and an accompanying riser are horizontal and vertical surfaces, respectively, and hard surfaced. The Wong device, on the other hand, is detachably attachable to a carpet or other underlying soft material found on the floorboard of a vehicle. As is obvious, a floorboard of a vehicle does not have a step and a riser. Paragraphs f-i of Claim 1 recite male and female snap locks that extend from the underside of the rug. No such snap locks are

found in the Wong teaching. Similarly, in Claim 13, the male and female snap locks are recited as extending from the underside of the rug. One must therefore come to the inescapable conclusion that each of independent Claims 1 and 13 recite structure and methodology which is not and cannot be carried out by any teachings disclosed in the Wong patent. It is therefore respectfully requested that the rejection of independent Claims 1 and 13 based upon the Wong patent be withdrawn. As Claim 3 depends from Claim 1, it is also allowable. As Claims 21-23 have been cancelled, the subject matter thereof need not be addressed.

Claims 2, 4-9 and 14-20 have been rejected as reciting subject matter obvious over certain teachings contained in the Wong patent in view of further teachings contained in the Altus patent. In this rejection, the Examiner cites the Altus patent for its teachings of snap fittings and alleges that it would be obvious to combine such snap fittings with the retention elements set forth in the Wong patent. As is evident from the teachings in the Altus patent, it requires a retainer 23 that has various bristles 32 for a non slip engagement with an underlying car floor mat. Male fasteners 22 extend upwardly from the retainer. These male fasteners penetrably engage an overlying floor mat 20. Each of the disclosed snap fittings penetrate the floor mat and require a snap of some sort lodged on the upper side of the floor mat. Each of independent Claim 1 and 13, from which the rejected claims depend, recite the male/female snap locks as extending from the underside of the retained rug. No such male/female snap lock is disclosed in the Altus patent. Moreover, the concept

of the present invention of not having the male/female snap locks penetrate the rug is not even suggested in the Altus patent. One must therefore come to the inescapable conclusion that the structure and methodology recited in Claims 1 and 13, respectively, from which Claims 2, 4-9 and 14-20, respectively, depend cannot be derived from any combination of teachings set forth in the Wong and Altus patents. Accordingly, allowance of Claims 2, 4-9 and 14-20 is respectfully requested.

Claims 10-12 have been further rejected as reciting subject matter obvious in view of certain teachings contained in the Wong patent in view of further teachings contained in the Altus patent. Additionally, the Examiner contends that Official Notice has been taken to use an adhesive for attaching a snap lock fitting. Whether the use of the recited adhesives is or is not something of which an Official Notice can be taken is not relevant. That is, Claims 10-12 depend from Claim 1 which recites the male/female snap locks as extending from the underside of the rug and for reasons set forth above, no such teachings exist in either of the Wong or Altus patents. Accordingly, allowance of Claims 10-12 is respectfully requested.

In view of the cancellation of Claims 2, 14 and 21-23, the amendments to Claims 1 and 13 to more particularly point out and distinctly claim the invention and the above discussion of the distinctions of the claimed invention over the teachings

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contained in the cited prior art, it is believed that the application is in condition for allowance, which allowance is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "C. Robert von Hellens". The signature is fluid and cursive, with a large initial "C" and a stylized "H".

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